



City of Annapolis

Department of Planning & Zoning
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Board of Appeals

July 2, 2013

The Board of Appeals of the City of Annapolis held its regularly scheduled meeting on July 2, 2013 in the City Council Chambers. **Vice Chair** Elkington called the meeting to order at 7:04pm.

Members Present: Vice Chair Elkington, Latham, Reyes Garcia

Members Absent: Chair Zazzali

Staff Present: Smith, Rouse

The agenda was approved as presented.

A. APPROVAL OF MEETING MINUTES

1. June 4, 2013 Meeting Minutes

Ms. Latham moved approval of the June 4, 2013 meeting minutes. Ms. Reyes Garcia seconded the motion. The motion passed unanimously in a vote of 3-0.

B. SIGNING OF OPINIONS

1. Naval Bagels Special Exception #2013-005

Ms. Latham moved to adopt the opinion as written. Ms. Reyes Garcia seconded the motion. The motion passed unanimously in a vote of 3-0.

2. Dean T. Builders, APL #2013-002

Ms. Latham moved approval of the opinion as written. Ms. Reyes Garcia seconded the motion. The motion passed unanimously in a vote of 3-0.

3. Clements Variance #2013-002

Ms. Latham moved approval of the opinion as written. Ms. Reyes Garcia seconded the motion. The motion passed unanimously in a vote of 3-0.

C. PUBLIC HEARING AND DELIBERATIONS

1. Bunker Special Exception, #S.E. #2013-006

Ms. Rouse presented the special exception request by Annebeth to establish a food service mart to be located at the corner of Maryland Avenue and Prince Georges Street. The applicant currently operates a similar service mart at 75 Maryland Avenue. The changing of location will allow the applicant to expand her product selection. Staff recommends approval of the application as submitted.

Ms. Bunker explained that the opportunity to change location presented itself so took advantage in order to expand her business. She agrees with the conditions placed on the application by staff.

Vice Chair Elkington accepted the following exhibits into the record.

Exhibit Number	Board of Appeals Exhibit Type
1	Staff Memorandum dated June 24, 2013 with attachments

Public testimony opened at 7:09pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition
Tim McClennen	64 Maryland Avenue	X	
Jeff Delude	79 Maryland Avenue	X	
Maria Dawson	45 Maryland Avenue	X	
Mary Jo Murray	69 Maryland Avenue	X	
Nikolaus Brioufas	52B Maryland Avenue	X	
Francis Keller	56 Maryland Avenue	X	

No one else from the public spoke on the application so **Vice Chair** Elkington declared the public testimony closed at 7:16pm.

2. Mollet and Tringle Variance, #VAR2013-007

Mr. Smith described the variance request for reduced rear and side yard setbacks on property located at 24 Fleet Street to allow construction of a second story deck on the rear of the house. Staff supports the variance request as submitted.

Mr. Mollet concurred with staff's presentation and had nothing more to add.

Chair Zazzali accepted the following exhibits into the record.

Exhibit Number	Board of Appeals Exhibit Type
1	Staff Memorandum dated June 24, 2013 with attachments

Public testimony opened at 7:26pm and those speaking on the application are listed below.

Name	Address	In Favor	In Opposition
Brian Rule	6 Pinckney Street	X	

No one else from the public spoke on the application so **Vice Chair** Elkington declared the public testimony closed at 7:27pm.

3. Thorp Variance, #VAR2013-008

Mr. Smith described the variance request for a reduced rear yard setback on property located at 94 Quarter Landing Road to demolish the existing house and accessory structure in order to construct a new house at the location. Staff recommends approval of the variance request as submitted.

Mr. Feldman, Attorney for the Applicant, testified that the property was duly posted and surrounding property owners have been notified. He noted that there were a number of neighbors in the audience who support the application and approximately seven members of the public stood in support of the application.

Vice Chair Elkington accepted the following exhibits into the record.

Exhibit Number	Board of Appeals Exhibit Type
1	Staff Memorandum dated June 24, 2013 with attachments
2	Bittner Letter dated June 28, 2013
3	Alt Breeding Schwarz Letter dated July 1, 2013 – submitted by Mr. Feldman
4	Hunter email dated June 30, 2013 – submitted by Mr. Feldman

Public testimony opened at 7:37pm and no one from the public spoke in favor or opposition of the application so **Vice Chair** Elkington declared the public hearing closed at 7:38pm.

4. Perfetto and McLeod Variance, #VAR2013-009

Mr. Smith presented the variance request for a reduced rear yard setback on property located at 921 Creek Drive to allow the construction of a sunroom addition. Staff recommends approval of the application as submitted.

Mr. Graff, Architect, testified that the applicants would like to enclose the porch to make it a livable space all year long. He noted that the design is consistent with what currently exists on the house.

Vice Chair Elkington accepted the following exhibits into the record.

Exhibit Number	Board of Appeals Exhibit Type
1	Staff Memorandum dated June 24, 2013 with attachments

Public testimony opened at 7:53pm and no one from the public spoke in favor or opposition of the application so **Vice Chair** Elkington declared the meeting closed at 7:54pm.

The Board recessed at 7:58pm and reconvened at 8:03pm.

Deliberations

1. Annebeth Special Exception

Ms. Reyes Garcia moved approval of the Annebeth Special Exception application with a revision to the Condition #4 language. Ms. Latham seconded the motion. The motion passed unanimously in a vote of 3-0.

2. Mollet and Tringle Variance

Ms. Latham moved to approve the Mollet and Tringle Variance as presented. Ms. Reyes Garcia seconded the motion. The motion passed unanimously in a vote of 3-0.

3. Thorp Variance

Ms. Latham moved approval of the Thorp variance as presented. Ms. Reyes Garcia seconded the motion. The motion passed unanimously in a vote of 3-0.

4. Perfetto and McLeod Variance

Ms. Latham moved approval of the Perfetto and McLeod variance as presented. Ms. Reyes Garcia seconded the motion. The motion passed unanimously in a vote of 3-0.

D. ADJOURNMENT

With there being no further business, Ms. Reyes Garcia moved to adjourn the meeting at 8:26pm. Ms. Latham seconded the motion. The motion passed unanimously in a vote of 3-0.

Tami Hook, Recorder